

# 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application: Jeffrey Wade Harper, Stephen J. Elledge, and Jeffrey T. Winston

Serial No.: 09/801,348

Filed: March 7, 2001

Art Unit: 1644

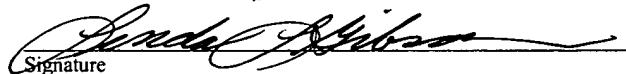
Examiner: Not Yet Assigned

For: METHOD FOR DETECTION OF NF- $\kappa$ B REGULATORY FACTORS

---

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to: BOX: SEQUENCE, Commissioner for Patents, Washington, D.C. 20231 on July 31, 2001.

  
Signature

Linda L. Gibson

Typed or printed name of person signing certificate

---

**BOX: SEQUENCE**  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO COMPLY UNDER 37 C.F.R. § 1.821**

Dear Sir:

The present paper is submitted as a response to the Notice to Comply, mailed May 31, 2001. Applicants respectfully request that the response submitted herewith be entered in the present case.

**REMARKS**

The Notice to Comply requests that a copy of the "Sequence Listing" in computer readable form be submitted as required by 37 C.F.R. § 1.821(e).

The sequence listing for the present Application is the same as that in U. S. Patent No. 6,232,081: Method for the Detection of NF- $\kappa$ B Regulatory Factors; Application Serial No. 09/172,841 attached hereto. Applicants also attach hereto the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Part 2 - Copy to be Returned with Response. Applicants respectfully request that the electronic version of the Sequence Listing in the parent application be transferred to the current application.

The content of the computer readable copy of U. S. Patent No. 6,232,081 is the same as the written Sequence Listing in the current Application as required by 37 C.F.R. § 1.821(f).

Dated this 31<sup>th</sup> day of July 2001.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP



---

Edwin S. Flores  
Registration No. 38,453  
Attorneys for Applicants

Dated: July 31, 2001

Gardere Wynne Sewell LLP  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201-4761  
(214) 999-3000 - Telephone  
(214) 999-4667 - Facsimile



**GARDERE**

attorneys and counselors ■ [www.gardere.com](http://www.gardere.com)

Direct: 214-999-4559  
Direct Fax: 214-999-3559  
[eflores@gardere.com](mailto:eflores@gardere.com)

July 31, 2001

**BOX: SEQUENCE**

Commissioner for Patents  
Washington, D.C. 20231

Re: Inventor: Jeffrey Wade Harper, Stephen J. Elledge, and Jeffrey T. Winston  
Patent Application Entitled: METHOD FOR DETECTION OF NF- $\kappa$ B REGULATORY FACTORS  
Serial No.: 09/801,348  
Filing Date: March 7, 2001  
Our File No.: 120541-1018

Dear Sir:

Enclosed for filing in connection with the above-referenced patent application are the following documents:

1. Response to Notice to Comply Under 37 C.F.R. § 1.821 (2 pp.);
2. Copy of Patent No. 6,232,081 with Sequence Listing Requirement; and
3. Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Part 2-Copy to be Returned with Response (2 pp.); and
4. Postcard.

Please file the above-referenced document and return the date-stamped postcard to our office at the above address. It is believed that no additional fees are due. If this is incorrect, the Commissioner is hereby authorized to charge any fees due which may be required by this paper to Deposit Account No. 07-0153.

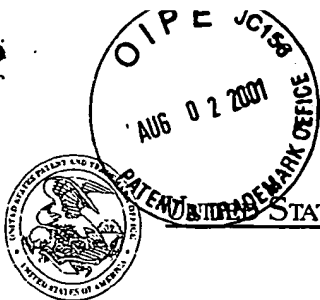
In the meantime, if you have any questions or comments concerning any of the above, please call the undersigned at your convenience. Otherwise, please accept the enclosed.

Respectfully submitted,  
Gardere Wynne Sewell LLP

Edwin S. Flores  
Reg. No.: 38,453

ESF:llg

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/801,348	03/07/2001	Jeffrey Wade Harper	120541-1018

CONFIRMATION NO. 7288

## FORMALITIES LETTER



\*OC000000006135285\*

Gardere Wynne Sewell LLP  
Suite 3000  
1601 Elm Street  
Dallas, TX 75201

Date Mailed: 05/31/2001

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice MUST be returned with the reply.*

\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE